

PEARSON, J.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: EAST PALESTINE TRAIN
DERAILMENT

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CASE NO. 4:23CV0242

JUDGE BENITA Y. PEARSON

ORDER

Pending is Plaintiffs' Motion for an Order Requiring Appellants Zsuzsa Troyan, Tamara Freeze, Sharon Lynch, and Carly Tunno to Post an Appeal Bond ([ECF No. 671](#)), filed on November 8, 2024.

On September 27, 2024, Objecting Settlement Class Member Rev. Joseph Sheely filed a Notice of Appeal ([ECF No. 558](#)) from the Court's order approving the Class Action Settlement Agreement against defendant railway companies. *See* Order ([ECF No. 557](#)). That appeal remains pending. *See In re: East Palestine Train Derailment No. 24-3852 (6th Cir.)*. Plaintiffs' Motion for an Order Requiring Objector Rev. Joseph Sheely to Post an Appeal Bond ([ECF No. 567](#)) is fully briefed and ripe for adjudication.

On October 8, 2024, Objecting Settlement Class Members Zsuzsa Troyan, Tamara Freeze, Sharon Lynch, and Carly Tunno filed a Notice of Appeal ([ECF No. 570](#)). That appeal also remains pending. *See In re: East Palestine Train Derailment No. 24-3880 (6th Cir.)*.

In Case No. 24-3852, Plaintiffs-Appellees moved the Court of Appeals for a show cause order against Rev. Sheely to order his counsel to explain why that appeal should not be dismissed. Alternatively, Plaintiffs-Appellees moved to consolidate briefing with Case No.

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24-3880 and for a 30-day extension of time to file their responsive brief. In reply to Rev. Sheely's response in opposition to their motion, Plaintiffs-Appellees withdrew the request for a show cause order as to why the appeal in Case No. 24-3852 should proceed. Today, the Sixth Circuit granted the motion to consolidate insofar as these two independently briefed appeals will be submitted to the same panel for consideration on the same date. See [*In re: East Palestine Train Derailment*, No. 24-3852 \(6th Cir. Jan. 2, 2025\)](#).

Accordingly, Objecting Settlement Class Members Zsuzsa Troyan, Tamara Freeze, Sharon Lynch, and Carly Tunno shall serve and file a response to [ECF No. 671](#) on or before January 7, 2025, at 4:30 PM EST.

IT IS SO ORDERED.

January 2, 2025
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge